



**DEVELOPMENT  
SERVICES  
DEPARTMENT**

# The City of Morgantown

389 SPRUCE STREET  
MORGANTOWN, WEST VIRGINIA 26505  
(304) 284-7431 TDD (304) 284-7512  
[www.morgantownwv.gov](http://www.morgantownwv.gov)

August 15, 2014

VIA CERTIFIED MAIL  
7013 2250 0001 5726 6403

Barbara Snyder  
1336 Wilson Circle  
Morgantown, WV 26505

**RE: RZ14-04 / Barbara Snyder / 604 McLane Avenue  
Zoning Map Amendment from R-2 to B-1  
Tax Map 15, Parcel 135**

Dear Ms. Snyder:

This is to notify you that the Morgantown Planning Commission voted unanimously on August 14, 2014 to submit a recommendation to City Council to deny your zoning map amendment petition referenced above based on the following findings and conclusions:

1. Article 1301.05 of the City's Planning and Zoning Code provides that "...the general design of neighborhoods...the use of land...the location of sites for...shopping centers...shall conform to the principles, policies and provisions of the Comprehensive Plan."
2. The 2013 Comprehensive Plan Update provides that legislative approvals of amendments to the zoning ordinance and zoning map should be a central means of implementing the Comprehensive Plan. Further, decisions by the Planning Commission and City Council should reference relevant Comprehensive Plan recommendations and policies [see Page 101 of the 2014 Comprehensive Plan Update].
3. The 2013 Comprehensive Plan Update identifies the Sunnyside Neighborhood as an "Area of Opportunity" where revitalization is intended to progress as recommended in the 2004 Sunnyside Revitalization Plan including a diversity of housing types, increased residential densities, and mixed-use development.
4. The 2004 Sunnyside Revitalization Plan provides that the petitioner's subject property is located within "Planning Area H" where housing products such as duplexes, townhouses, garden apartments and strategically located pockets of single-family homes are desired.
5. The 2004 Sunnyside Revitalization Plan does not appear to provide for non-residential (retail, commercial, etc.), mixed-use dwellings, and higher residential densities as desired development patterns within "Planning Area H."
6. The 2004 Sunnyside Revitalization Plan appears to provide for non-residential (retail, commercial, etc.), mixed-use dwellings, and higher residential densities development patterns within other "Planning Areas" of the Sunnyside Neighborhood.

7. The petitioner's proposed zoning map amendment for the subject realty appears to significantly deviate from the desired development patterns provided in the 2004 Sunnyside Revitalization Plan.
8. Appendix A of the 2013 Comprehensive Plan Update provides that the petitioner's subject property is also located within "Future Study Area 6."
9. Said Appendix A provides that the Planning Commission should conduct further land use and development study within the "Future Study Areas" for the purposes of recommending zoning map amendments and/or zoning text amendments to City Council that will advance the goals, objectives, strategies, and consistency principals of the 2013 Comprehensive Plan Update.
10. Given the desired development pattern expressed in the 2004 Sunnyside Revitalization Plan for "Planning Area H" and absent a further land use and development study of the 2013 Comprehensive Plan Appendix A "Future Study Area 6", the petitioner's request to reclassify the subject property from R-2 to B-1 appears to serve more of a private interest than that of the general public benefit, interest, and/or opportunity of protecting and/or furthering the health, safety, and welfare of the community.

Please note the following dates when City Council is scheduled to consider the above referenced zoning map amendment petition. These dates are dependent up City Council's favorable action at each step of the approval process.

#### **City Council Meetings**

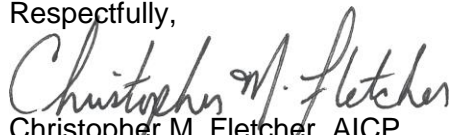
Committee of the Whole..... Tuesday, August 26, 2014; 7:00 PM  
City Council Chambers

1<sup>st</sup> Reading:..... Tuesday, September 2, 2014; 7:00 PM  
City Council Chambers

Public Hearing and 2<sup>nd</sup> Reading: ..... Tuesday, October 7, 2014; 7:00 PM  
City Council Chambers

Attendance at these meetings is not mandatory. Do not hesitate to contact the undersigned should you have any questions or require further clarification.

Respectfully,



Christopher M. Fletcher, AICP  
Director of Development Services